

H.R. 5182 - Child Online Safety Modernization Act

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Issue Background

The National Center for Missing and Exploited Children (NCMEC) is a congressionally-mandated nonprofit organization that operates the CyberTipline, the national clearinghouse for online platforms to report child sexual exploitation on the internet.

In 2022, the NCMEC CyberTipline received over 32 million reports of online child sexual abuse material (CSAM), also known as “child pornography,” constituting an 89% increase from pre-pandemic levels in 2019. That’s equal to approximately 87,600 reports of online child sexual exploitation per day.

Under current law, there are no requirements regarding what online platforms must include in a CyberTipline report. Due to this legal gap, platforms do not consistently report substantive and actionable information in their reports—leaving NCMEC and law enforcement often unable to locate and rescue the child. In 2022, over 50% of the 32 million reports submitted to NCMEC lacked so much information that the report could not be investigated by law enforcement.

Additionally, online platforms are currently not required to report instances of child sex trafficking or the sexual enticement of a child to the CyberTipline. Tragically, since 2018, NCMEC has seen a 567% increased in sexual enticement of a child.

Bill Summary

Modernizing the NCMEC CyberTipline

H.R. 5182 modernizes and enhances the NCMEC CyberTipline by:

- (1) requiring reports from online platforms to include information to help law enforcement identify and locate the child depicted in CSAM as well as the individuals involved in posting the imagery.
- (2) requiring online platforms to report instances of child sex trafficking and the sexual enticement of a child.
- (3) allowing NCMEC to share technical identifiers associated with CSAM to nonprofits for the sole and exclusive purpose of preventing and curtailing online sexual exploitation.

Preserving CyberTipline Reports for Investigation

H.R. 5182 extends the required preservation of CyberTipline reports from 90 days to 1 year. Due to the immense volume of reports and the deliberative and time-consuming process that an investigation of these cases requires, extending this preservation gives law enforcement more time to properly and comprehensively investigate crimes against children.

Replacing the term “child pornography” with “child sexual abuse material”

H.R. 5182 replaces the term “child pornography” with “child sexual abuse material” throughout U.S. federal statutes. “Child pornography” is an inaccurate and misleading term to describe an image or video of a child being raped or sexually abused. Whereas “pornography” refers to imagery of consenting adults engaged in sexual acts, the child victims depicted in such imagery have no consent and no control over their sexual exploitation. U.S. federal law should accurately reflect this abuse.

Supported by: the National Center for Missing and Exploited Children, the National Children’s Alliance, the Rape, Abuse, and Incest National Network (RAINN), the National Center on Sexual Exploitation, International Justice Mission, Raven, the Ending Online Sexual Exploitation and Abuse of Children (OSEAC) Coalition, Protect All Children from Trafficking (PACT), Missouri KidsFirst, and the Missouri Coalition Against Domestic and Sexual Violence (MOCADSV)